

**Executive Summary – Enforcement Matter – Case No. 41852**

**Lucite International, Inc.**

**RN102736089**

**Docket No. 2011-0967-IHW-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

**Media:**

IHW

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Lucite Beaumont Site, 6350 North Twin City Highway, Nederland, Jefferson County

**Type of Operation:**

Industrial organic chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** September 16, 2011

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$10,000

**Amount Deferred for Expedited Settlement:** \$0

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$10,000

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Average

Site/RN - Average

**Major Source:** Yes

**Statutory Limit Adjustment:** \$16,900

**Applicable Penalty Policy:** September 2002

**Executive Summary – Enforcement Matter – Case No. 41852**

**Lucite International, Inc.**

**RN102736089**

**Docket No. 2011-0967-IHW-E**

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** April 9, 2011

**Date(s) of NOE(s):** May 26, 2011

***Violation Information***

Failed to prevent an unauthorized discharge into or adjacent to the water in the state [30 TEX. ADMIN. CODE § 335.4 and TEX. WATER CODE § 26.121(a)(1)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent ceased the discharge by immediately discontinuing transfer operations on April 9, 2011 and submitted an incident report form on May 6, 2011 which detailed the measures implemented to prevent future occurrences.

**Technical Requirements:**

N/A

***Litigation Information***

**Date Petition(s) Filed:** N/A

**Date Answer(s) Filed:** N/A

**SOAH Referral Date:** N/A

**Hearing Date(s):** N/A

**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Wallace Myers, Enforcement Division, Enforcement Team 7, MC 128, (512) 239-6580; Debra Barber, Enforcement Division, MC 219, (512) 239-0412.

**TCEQ SEP Coordinator:** N/A

**Respondent:** Neil Savers, Director, Lucite International, Inc., 7275 Goodlett Farms Parkway, Cordova, Tennessee 38016

Marney Gillmore, Sity Manager, Lucite International, Inc., 6350 North Twin City Highway, Nederland, Texas 77627

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES

Assigned

31-May-2011

PCW

13-Jun-2011

Screening

1-Jun-2011

EPA Due

## RESPONDENT/FACILITY INFORMATION

Respondent Lucite International, Inc.

Reg. Ent. Ref. No. RN102736089

Facility/Site Region 10-Beaumont

Major/Minor Source Major

## CASE INFORMATION

Enf./Case ID No. 41852

Docket No. 2011-0967-IHW-E

Media Program(s) Industrial and Hazardous Waste

Multi-Media

No. of Violations 1

Order Type Findings

Government/Non-Profit No

Enf. Coordinator Wallace Myers

EC's Team Enforcement Team 7

Admin. Penalty \$ Limit Minimum

\$0

Maximum

\$10,000

## Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$10,000

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

194.0%

Enhancement

Subtotals 2, 3, & 7 \$19,400

Notes

Enhancement for seventeen NOV's with dissimilar violations and eight orders with denial of liability.

Culpability

No

0.0%

Enhancement

Subtotal 4 \$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments

Subtotal 5 \$2,500

Economic Benefit

0.0% Enhancement\*

Subtotal 6 \$0

Total EB Amounts \$4

Approx. Cost of Compliance \$1,000

\*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal \$26,900

OTHER FACTORS AS JUSTICE MAY REQUIRE

0.0%

Adjustment \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$26,900

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty \$10,000

DEFERRAL

0.0%

Reduction

Adjustment \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY

\$10,000

Screening Date 1-Jun-2011

Docket No. 2011-0967-IHW-E

PCW

Respondent Lucite International, Inc.

Policy Revision 2 (September 2002)

Case ID No. 41852

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102736089

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Wallace Myers

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	17	34%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	8	160%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 194%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Enhancement for seventeen NOVs with dissimilar violations and eight orders with denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 194%

Screening Date 1-Jun-2011

Docket No. 2011-0967-IHW-E

PCW

Respondent Lucite International, Inc.

Policy Revision 2 (September 2002)

Case ID No. 41852

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102736089

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Wallace Myers

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 335.4 and Tex. Water Code § 26.121(a)(1)

Violation Description

Failed to prevent an unauthorized discharge into or adjacent to the water in the state. Specifically, on April 9, 2011 approximately five gallons of acetone cyanohydrin were discharged into the Neches River resulting in a fish kill of approximately seven fish.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

## &gt;&gt; Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$10,000

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

One daily event is recommended for the April 9, 2011 discharge.

## Good Faith Efforts to Comply

25.0% Reduction

\$2,500

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent came into compliance on May 6, 2011, prior to the NOE issued on May 26, 2011.

Violation Subtotal \$7,500

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$26,900

This violation Final Assessed Penalty (adjusted for limits) \$10,000

# Economic Benefit Worksheet

**Respondent** Lucite International, Inc.  
**Case ID No.** 41852  
**Reg. Ent. Reference No.** RN102736089  
**Media** Industrial and Hazardous Waste  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,000	9-Apr-2011	6-May-2011	0.07	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update operational procedures to prevent future occurrences. The date required is the date of the discharge and the final date is the date of compliance.

## Avoided Costs

**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$4

## Compliance History

Customer/Respondent/Owner-Operator:	CN601448764	Lucite International, Inc.	Classification: AVERAGE	Rating: 9.39																																																																																																						
Regulated Entity:	RN102736089	Lucite Beaumont Site	Classification: AVERAGE	Site Rating: 11.64																																																																																																						
ID Number(s):	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">INDUSTRIAL AND HAZARDOUS WASTE</td> <td style="width: 30%;">EPA ID</td> <td style="width: 40%;">TXD988088761</td> </tr> <tr> <td>INDUSTRIAL AND HAZARDOUS WASTE</td> <td>SOLID WASTE REGISTRATION # (SWR)</td> <td>81282</td> </tr> <tr> <td>POLLUTION PREVENTION PLANNING</td> <td>ID NUMBER</td> <td>P00334</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>93625</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>92740</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>92505</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>19005</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>19004</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>19003</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>29568</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>ACCOUNT NUMBER</td> <td>JE0425E</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>53554</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>AFS NUM</td> <td>4824500136</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>EPA ID</td> <td>PSDTX753</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>1743</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>2796A</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>318</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>79737</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>80291</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>81499</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>81877</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>89987</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>90567</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>95805</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>1437</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>ACCOUNT NUMBER</td> <td>JE0425E</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>1959</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>1960</td> </tr> <tr> <td>PUBLIC WATER SYSTEM/SUPPLY</td> <td>REGISTRATION</td> <td>1230066</td> </tr> <tr> <td>UNDERGROUND INJECTION CONTROL</td> <td>PERMIT</td> <td>WDW100</td> </tr> <tr> <td>UNDERGROUND INJECTION CONTROL</td> <td>PERMIT</td> <td>WDW101</td> </tr> <tr> <td>UNDERGROUND INJECTION CONTROL</td> <td>PERMIT</td> <td>WDW389</td> </tr> <tr> <td>UNDERGROUND INJECTION CONTROL</td> <td>PERMIT</td> <td>WDW390</td> </tr> <tr> <td>AIR EMISSIONS INVENTORY</td> <td>ACCOUNT NUMBER</td> <td>JE0425E</td> </tr> </table>				INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD988088761	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	81282	POLLUTION PREVENTION PLANNING	ID NUMBER	P00334	AIR NEW SOURCE PERMITS	REGISTRATION	93625	AIR NEW SOURCE PERMITS	REGISTRATION	92740	AIR NEW SOURCE PERMITS	REGISTRATION	92505	AIR NEW SOURCE PERMITS	PERMIT	19005	AIR NEW SOURCE PERMITS	PERMIT	19004	AIR NEW SOURCE PERMITS	PERMIT	19003	AIR NEW SOURCE PERMITS	REGISTRATION	29568	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0425E	AIR NEW SOURCE PERMITS	REGISTRATION	53554	AIR NEW SOURCE PERMITS	AFS NUM	4824500136	AIR NEW SOURCE PERMITS	EPA ID	PSDTX753	AIR NEW SOURCE PERMITS	PERMIT	1743	AIR NEW SOURCE PERMITS	PERMIT	2796A	AIR NEW SOURCE PERMITS	PERMIT	318	AIR NEW SOURCE PERMITS	REGISTRATION	79737	AIR NEW SOURCE PERMITS	REGISTRATION	80291	AIR NEW SOURCE PERMITS	REGISTRATION	81499	AIR NEW SOURCE PERMITS	REGISTRATION	81877	AIR NEW SOURCE PERMITS	REGISTRATION	89987	AIR NEW SOURCE PERMITS	REGISTRATION	90567	AIR NEW SOURCE PERMITS	REGISTRATION	95805	AIR OPERATING PERMITS	PERMIT	1437	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0425E	AIR OPERATING PERMITS	PERMIT	1959	AIR OPERATING PERMITS	PERMIT	1960	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1230066	UNDERGROUND INJECTION CONTROL	PERMIT	WDW100	UNDERGROUND INJECTION CONTROL	PERMIT	WDW101	UNDERGROUND INJECTION CONTROL	PERMIT	WDW389	UNDERGROUND INJECTION CONTROL	PERMIT	WDW390	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE0425E
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Date Compliance History Prepared:	June 13, 2011																																																																																																									
Agency Decision Requiring Compliance History:	Enforcement																																																																																																									
Compliance Period:	June 01, 2006 to June 01, 2011																																																																																																									
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History																																																																																																										
Name:	Wallace Myers	Phone:	512-239-6580																																																																																																							

### Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period?       | Yes |
| 2. Has there been a (known) change in ownership/operator of the site during the compliance period? | No  |
| 3. If Yes, who is the current owner/operator?  | N/A |
| 4. If Yes, who was/were the prior owner(s)/operator(s)?  | N/A |
| 5. When did the change(s) in owner or operator occur?  | N/A |
| 6. Rating Date: 9/1/2010 Repeat Violator:  | NO  |

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- |   |                            |
|---|----------------------------|
| Effective Date: 06/29/2007                                  | ADMINORDER 2006-2104-AIR-E |
| Classification: Minor                                       |                            |
| Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A) |                            |

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report the initial report as soon as practical, but not later than 24 hours after the discovery of an emissions event (Incidents #74015, 74928 and #75556).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01437, Special Condition 12 PERMIT  
NSR - 19003 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit.

Effective Date: 01/12/2008

ADMINORDER 2007-0750-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19005/PSD-TX-753, SC 1 PERMIT  
O-01437, GENERAL CONDITIONS OP

O-01437, SPECIAL CONDITION 12 OP

O-01437, SPECIAL CONDITION 2(l) OP

Description: Failure to maintain an emission rate below the allowable limit for Sulfur dioxide (SO<sub>2</sub>) at the Spent Acid Regeneration Unit Main Stack, EPN SAR-SARSTK, from October 26, 2006 through October 27, 2006.

Effective Date: 03/12/2009

ADMINORDER 2008-0822-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: NSR No. 19003, Special Condition 3 PERMIT

Description: Failed to maintain an emission rate below the allowable emission limits. Specifically, the foam box sealing membrane in the MMA tank ruptured, resulting in the release of 8,889.38 pounds of MMA over an estimated period of 98 days. Since the emission event was avoidable, the demonstrations for affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01437, Special Condition 12 OP  
NSR Permit 19003, Special Condition 4 PERMIT

Description: Failed to monitor the Acetone Cyanohydrin Cooling Tower on a monthly basis for volatile organic compounds ("VOCs"). Specifically, the Respondent failed to monitor the Acetone Cyanohydrin Cooling Tower from April 30, 2006 through July 24, 2007.

Effective Date: 03/23/2009

ADMINORDER 2008-1293-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Part 63, Subpart G 63.120(d)(5)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP

FOP O-01960, Special Condition 1A OP

FOP O-01960, Special Condition 1D OP

FOP O-01960, Special Condition 4 OP

NSR Permit 1743, Special Condition 10 PERMIT

NSR Permit 1743, Special Condition 2 PERMIT

Description: Failure to maintain the water flow to scrubbers ACR/ABS156, ACR/ABS159, ACR/ABS61, and ACR/ABS218.



EIC A,8,c,1,B MOD 2,G

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 16 OP

FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. EIC A,8,c,2,A,ii MOD 2,D

Effective Date: 05/18/2009

ADMINORDER 2007-1876-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit 1743, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 63, Subpart G 63.120(d)(5)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP

FOP O-01960, Special Condition 1A OP  
FOP O-01960, Special Condition 1E OP  
FOP O-01960, Special Condition 4 OP  
NSR Permit 1743, Special Condition 10 PERMIT  
NSR Permit 1743, Special Condition 2 PERMIT

Description: Failed to maintain the required water flow to scrubbers ACR/ABS156, ACR/ABS61, ACR/ABS159 and ACR/ABS218.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 63, Subpart G 63.120(d)(5)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP

FOP O-01960, Special Condition 1A OP  
FOP O-01960, Special Condition 1E OP  
NSR Permit 1743, Special Condition 12 PERMIT  
NSR Permit 1743, Special Condition 2 PERMIT

Description: Failed to maintain the daily average temperature of incinerator ACR/INC60 above the established minimum limit.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 63, Subpart G 63.120(d)(5)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP

FOP O-01960, Special Condition 1A OP

FOP O-01960, Special Condition 1E OP  
NSR Permit 1743, Special Condition 12 PERMIT  
NSR Permit 1743, Special Condition 2 PERMIT

Description: Failed to maintain the daily average temperature of vapor combustor ACR/VC51 above the established minimum limit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 12 OP

NSR Permit 19005/PSD-TX-753, SC 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits for SO2.

Effective Date: 07/20/2009

ADMINORDER 2009-0171-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960 Special Condition 2F OP

NSR Permit 1743 Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 110434.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960 Special Condition 2 OP

Description: Failed to identify the compound descriptive type of the individually listed compounds or mixtures of all air contaminants released during Incident No. 110434 which exceeded the reportable quantity ("RQ").

Effective Date: 10/18/2009

ADMINORDER 2009-0522-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 11 OP

NSR Permit 19004, Special Condition 1 PERMIT

Description: Failed to maintain emissions below the allowable emissions limit of 0.70 tons per year ("TPY") of volatile organic compounds ("VOCs") from the Acetone Cyanohydrin Cooling Tower, emission point number ("EPN") ACH-CTW, for calendar year 2007. Specifically, during 2007, emissions were 1.46 TPY of VOCs from EPN ACH-CTW.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 11 OP

NSR Permit 19003 Special Condition 3 PERMIT

Description: Failed to maintain emissions below allowable emissions limit of 0.42 TPY of nitrogen oxides ("NOx") from the Methyl Methacrylate Dock Flare, EPN MMA-DKFL, for calendar year 2007. Specifically, during 2007, emissions were 0.66 TPY of NOx from EPN MMA-DKFL.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 11 OP

NSR Permit 19005 Special Condition 1 PERMIT

Description: Failed to prevent emissions of 0.05 tons of VOCs in 2007 from the Spent Acid Recovery Unit Stack, EPN SAR-SARSTK, which is not authorized to release VOCs.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.354(1)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(7)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437 Special Condition 1A OP

FOP O-01437, Special Condition 11 OP  
FOP O-01437, Special Condition 8 OP

Description: Failed to monitor 6, 903 components in the Methyl Methacrylate Unit and 1,248 components in the Acetone Cyanohydrin Unit between July 25, 2008 and December 31, 2008.

Effective Date: 02/20/2011

ADMINORDER 2010-1079-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01437, General Terms and Condition OP  
FOP O-01437, Special Condition 11 OP

NSR Permit 19003, General Condition 8 PERMIT  
NSR Permit 19003, Special Condition 3 PERMIT  
NSR Permit 19005/PSD-TX-753, SC 1 PERMIT

Description: Failure to maintain emission rate below the allowable emission limit and maintain an emission control device. EIC A8(c)(2)(A)(ii) MOD(2)(D)

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	11/27/2006	(465011)
2	11/01/2006	(511600)
3	12/20/2006	(515191)
4	06/01/2008	(517487)
5	12/19/2006	(519732)

6	04/27/2007	(542915)
7	07/06/2007	(553815)
8	04/26/2007	(554316)
9	08/29/2007	(562598)
10	07/31/2007	(562729)
11	11/29/2007	(566137)
12	07/23/2007	(566920)
13	07/16/2007	(567527)
14	09/01/2007	(569972)
15	08/30/2007	(571807)
16	10/04/2007	(571825)
17	09/26/2007	(573162)
18	11/08/2007	(596423)
19	11/28/2007	(597501)
20	11/16/2007	(600604)
21	12/17/2007	(609306)
22	12/17/2007	(609325)
23	02/05/2008	(612654)
24	02/26/2008	(615126)
25	01/30/2008	(616247)
26	02/26/2008	(616567)
27	02/13/2008	(618056)
28	04/23/2008	(638274)
29	05/16/2008	(641188)
30	05/30/2008	(641709)
31	04/29/2008	(641775)
32	04/29/2008	(641779)
33	02/02/2007	(644092)
34	03/04/2007	(644203)
35	06/18/2008	(653895)
36	06/03/2008	(681474)
37	06/03/2008	(681490)
38	07/31/2008	(683183)
39	07/18/2008	(684992)
40	07/25/2008	(687655)
41	10/14/2008	(701152)
42	10/14/2008	(701155)
43	12/15/2008	(702442)
44	10/13/2008	(703217)
45	10/13/2008	(704748)
46	12/05/2008	(708549)
47	12/05/2008	(708605)
48	12/05/2008	(708616)
49	12/19/2008	(708717)
50	12/17/2008	(708747)
51	12/17/2008	(708752)
52	02/03/2009	(709856)
53	01/21/2009	(709969)
54	01/27/2009	(720924)
55	01/29/2009	(722241)
56	04/02/2009	(736195)
57	03/24/2009	(737219)

58	03/24/2009	(737307)
59	04/08/2009	(740807)
60	05/05/2009	(742525)
61	05/05/2009	(742530)
62	04/23/2009	(743049)
63	04/28/2009	(743121)
64	06/23/2009	(744448)
65	07/15/2009	(749165)
66	07/07/2009	(760884)
67	08/14/2009	(763341)
68	08/14/2009	(763352)
69	09/10/2009	(763438)
70	08/20/2009	(766630)
71	09/02/2009	(767311)
72	09/02/2009	(767314)
73	09/08/2009	(775047)
74	11/11/2009	(778021)
75	11/13/2009	(779887)
76	11/25/2009	(781623)
77	12/21/2009	(783028)
78	12/09/2009	(784938)
79	06/24/2010	(790962)
80	04/12/2010	(794258)
81	03/08/2010	(794463)
82	04/15/2010	(794684)
83	04/15/2010	(794967)
84	06/28/2010	(796483)
85	06/11/2010	(802969)
86	06/11/2010	(802978)
87	07/16/2010	(828028)
88	07/22/2010	(829426)
89	07/22/2010	(829427)
90	11/23/2010	(872056)
91	11/22/2010	(872095)
92	11/02/2010	(872434)
93	11/04/2010	(872912)
94	02/15/2011	(894367)
95	02/15/2011	(894379)
96	02/23/2011	(899534)
97	03/15/2011	(901037)
98	03/01/2011	(901186)
99	03/17/2011	(901598)
100	05/26/2011	(914206)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	02/02/2007	(644092)	CN601448764	
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.109(f)(2)			
Description:	BACT - NONACUTE MCL (5% OR >1)			
Date:	03/04/2007	(644203)	CN601448764	
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)			
Description:	PUBLIC NOTICE			
Date:	08/29/2007	(562598)	CN601448764	

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.13(k)		
Description:	Failure to submit an exception report as required.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter Q 335.474		
Description:	Failure to prepare a five-year pollution prevention plan and update the plan as necessary.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT C 265.37 40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.52(d) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.52(e)		
Description:	Failure to update the facility's contingency plan.		
Date	10/04/2007	(571825)	CN601448764
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b) O-01959, Special Condition 1A OP		
Description:	Failure to maintain or keep accurate records concerning Ammonia Flare observations.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 318, Special Condition 5 PERMIT 5C THC Chapter 382, SubChapter A 382.085(b) O-01959, General Terms and Conditions OP O-01959, Special Condition 8 OP		
Description:	Failure to conduct Audio, Visual, and Olfactory (AVO) checks for NH3 leaks within Lucite's operating area once per 12 hr shift.		
Self Report?	NO	Classification:	Moderate
Citation:	2796A, Special Condition 8A PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b) O-01959, General Terms and Conditions OP O-01959, Special Condition 8 OP		
Description:	Failure to prevent Boiler 7 (B7) from exceeding the Nitrogen Oxides (NOx) emissions standard of 30 parts per million (ppm) on a rolling hourly average when firing at a rate of 76.25 Million British Thermal Units (MMBTU/hr).		
Self Report?	NO	Classification:	Moderate
Citation:	2796A, Special Condition 8A PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b) O-01959, General Terms and Conditions OP O-01959, Special Condition 8 OP		
Description:	Failure to prevent B7 from exceeding the Carbon Monoxide (CO) emissions standard of 100 ppm on a rolling hourly average when firing at a rate of 76.25 MMBtu/hr.		
Self Report?	NO	Classification:	Moderate
Citation:	2796A, Special Condition 1 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(w) 5C THC Chapter 382, SubChapter A 382.085(b) O-01959, General Terms and Conditions OP O-01959, Special Condition 1A OP O-01959, Special Condition 8 OP		
Description:	Failure to submit a Semi-annual New Source Performance Standard (NSPS) report concerning B7 in a timely manner.		
Date	11/08/2007	(596951)	CN601448764
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		

40 CFR Part 60, Subpart A 60.7(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 19 OP  
 FOP O-01960, Special Condition 8 OP  
 NSR Permit 1743, Special Condition 15B PERMIT  
 NSR Permit 1743, Special Condition 2 PERMIT  
 Description: Failure to submit quarterly CEMS Summary Reports for the units ACR/TOU51 and ACR/INC60 in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 19 OP  
 NSR Permit 1743, Special Condition 12 PERMIT

Description: Failure to maintain the operating parameter temperature of the thermal oxidizer ACR/TOU51.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 19 OP  
 NSR Permit 1743, Special Condition 10 PERMIT

Description: Failure to maintain the water flow to scrubber ACR/ABS219.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 19 OP  
 NSR Permit 1743, Special Condition 12 PERMIT

Description: Failure to maintain the operating parameter Oxygen concentration of Incinerator ACR/INC60.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 19 OP  
 NSR Permit 1743, Special Condition 8B PERMIT

Description: Failure to maintain the operating parameter temperature of Vapor Combustor ACR/VC51.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 19 OP  
 NSR Permit 1743, Special Condition 2 PERMIT

Description: Failure to perform weekly AVO inspections of the light liquid pumps in the Reaction Fugitives Area, Purification Fugitives Area, Recovery Fugitives Area, and the HCN Synthesis Fugitives Area.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960, Special Condition 3.A.iv, 1 OP

Description: Failure to perform quarterly visible emission observations of the Startup Air Heater and the Catalyst Filter discharge.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01960 General Terms and Conditions OP  
 FOP O-01960 Special Condition 18 OP

Description: Failure to perform weekly visible emission inspections of the Incinerator, Thermal

	Oxidizer, and the Vapor Combustor.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 106, SubChapter K 106.262(a)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 20 OP		
Description:	Failure to submit the PI-7 form for the PBR authorization of the Ammonia Blow down Operation within ten days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 1A OP		
Description:	Failure to perform daily observations of Flares ACR/FL57 and ACR/PRC58.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 19 OP NSR Permit 318, Special Condition 5A PERMIT		
Description:	Failure to perform semi-daily Audio, Visual and Olfactory (AVO) inspections of the AMM/FDKAMB operating area.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 19 OP		
Description:	Failure to comply with the representations of the application for NSR Permit 1743.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 1 PERMIT		
Description:	Failure to maintain emission rates below the allowable emission limits.		
Date	11/28/2007	(597556)	CN601448764
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437, Special Condition 1A OP		
Description:	Failure to perform daily observations of Flare ACH/CBFLR.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart H 60.82(a) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437, Special Condition 12 OP FOP O-01437, Special Condition 1A OP NSR Permit 19005, Special Condition 2 PERMIT NSR Permit 19005, Special Condition 4 PERMIT		
Description:	Failure to limit the SO2 emission rate from exceeding 4 pounds (lbs) of SO2 per ton of 100 % H2SO4.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 115, SubChapter D 115.354(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2) 5C THC Chapter 382, SubChapter D 382.085(b) FOP O-01437 General Terms and Conditions OP		



FOP O-01437, Special Condition 12 OP  
FOP O-01437, Special Condition 1A OP  
NSR Permit 19003, Special Condition 1E PERMIT  
NSR Permit 19003, Special Condition 5 PERMIT  
NSR Permit 19004, Special Condition 2 PERMIT  
NSR Permit 19004, Special Condition 5E PERMIT

Description: Failure to perform weekly AVO inspections of the pumps and flanges in the Acetone Cyanohydrin Unit Process Fugitives Area and the Methyl Methacrylate Production Unit Fugitives Area.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter B 115.126(1)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(3)(ii)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)  
40 CFR Part 60, Subpart A 60.18(f)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 12 OP  
FOP O-01437, Special Condition 1A OP  
NSR Permit 19004, Special Condition 2 PERMIT  
NSR Permit 19004, Special Condition 3 PERMIT

Description: Failure to record the presence of a pilot flame for Flare ACH/CBFLR.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter B 115.126(1)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(3)(ii)  
40 CFR Part 60, Subpart A 60.18(f)(2)  
40 CFR Part 60, Subpart NNN 60.665(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 12 OP  
FOP O-01437, Special Condition 1A OP  
NSR Permit 19003 Special Condition 5 & 6 PERMIT  
NSR Permit 19003, Special Condition 4 PERMIT  
NSR Permit 19003, Special Condition 7 PERMIT

Description: Failure to record the presence of a pilot flame for Flare MMA/DKFL.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 12 OP  
FOP O-01437, Special Condition 1A OP  
NSR Permit 19005, Special Condition 13B PERMIT  
NSR Permit 19005, Special Condition 2 PERMIT

Description: Failure to correctly perform the First and Second Quarter 2006 CGAs for the SAR/SARSTK.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 12 OP  
FOP O-01437, Special Condition 1A OP  
NSR Permit 19003, Special Condition 1F PERMIT  
NSR Permit 19003, Special Condition 5 PERMIT

Description: Failure to monitor all accessible valves.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01437 General Terms and Conditions OP  
 NSR Permit 19005, Special Condition 13 PERMIT  
 NSR Permit 19005, Special Condition 2 PERMIT  
 Description: Failure to continuously measure and record the in-stack concentration of Nitrogen Oxides (NOx) and SO2 from the SAR-SARSTK.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-01437 General Terms and Conditions OP  
 FOP O-01437, Special Condition 1A OP

Description: Failure to record the exhaust gas temperature of the SAR Furnaces.  
 Date 05/16/2008 (641188) CN601448764

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01959, General Terms and Condition OP  
 FOP O-01959, Special Condition 8 OP  
 NSR Permit 318, Special Condition 5A PERMIT

Description: Failure to perform Audio Visual and Olfactory inspections of the Ammonia Operating Unit.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01959, General Terms and Condition OP  
 FOP O-01959, Special Condition 8 OP  
 NSR Permit 2796A, Special Condition 8A PERMIT

Description: Failure to limit NOx emissions from exceeding the emission standard of 30 ppm NOx.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01959, General Terms and Condition OP  
 FOP O-01959, Special Condition 8 OP  
 NSR Permit 2796A, Special Condition 8 PERMIT

Description: Failure to limit CO emissions from exceeding the emission standard of 100 ppm CO.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01959, General Terms and Condition OP  
 FOPO-01959 Special Condition 3(B)(iv)(1) OP

Description: Failure to perform second quarter observation of Boiler Number 7.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(c)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01959 General Terms and Conditions OP  
 FOP O-01959, Special Condition 5E OP  
 FOP O-01959, Special Condition 8 OP  
 NSR Permit 2796A, Special Condition 10 PERMIT

Description: Failure to continuously record the in-stack concentration of NOx, CO, and O2 from Boiler Number 7.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01959 General Terms and Conditions OP  
 FOP O-01959, Special Condition 9 OP

Description: Failure to submit the PI-7 form for the PBR authorization of the wastewater pond pump

engines, wastewater pond pump tanks, and diesel tanks within ten days after construction.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) FOP O-01959 General Terms and Conditions OP		
Description:	Failure to report a deviation on the semi-annual deviation report for the reporting period of July 13, 2007, through January 12, 2008.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(1) 30 TAC Chapter 122, SubChapter B 122.146(5)(D) 5C THSC Chapter 382 382.085(b) FOP O-01959 General Terms and Conditions OP		
Description:	Failure to accurately certify the ACC for the certification period of January 11, 2007, through January 12, 2008.		
Date	05/30/2008	(641710)	CN601448764
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 1A OP		
Description:	Failure to perform daily observations of Flares ACH/CBFLR and MMA/DKFL.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 1A OP NSR Permit 19003 Special Condition 1E PERMIT NSR Permit 19003 Special Condition 5 PERMIT		
Description:	Failure to maintain a sealing device on an open-ended line.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.354(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 1A OP FOP O-01437 Special Condition 9 OP NSR Permit 19003 Special Condition 1E PERMIT NSR Permit 19003 Special Condition 5 PERMIT		
Description:	Failure to perform weekly AVO inspections of the pumps and flanges in the Acetone Cyanohydrin Unit Process Fugitives Area and the Methyl Methacrylate Production Unit Area Fugitives.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP		
Description:	Failure to report a deviation.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(1) 30 TAC Chapter 122, SubChapter B 122.146(5)(C)(v) 30 TAC Chapter 122, SubChapter B 122.146(5)(D) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP		
Description:	Failure to accurately certify the ACC for the period of January 25, 2006, through January 24,		

2008.

Date 07/31/2008 (683183) CN601448764

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 17 OP

Description: Failure to perform semi-weekly Audio, Visual and Olfactory (AVO) inspections of pumps in the Hydrogen Cyanide Acrylonitrile (HCN/ACRN) area. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 17 OP

Description: Failure to record the weekly observation of the ACR Incinerator, the ACR Thermal Oxidizer, and the ACR Vapor Combustor. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 1A OP

Description: Failure to record daily observations of Flares ACR/FL57 and ACR/FLR58. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 10 PERMIT

Description: Failure to maintain the water flow to scrubbers ACR/ABS219 and ACR/ABS59. EIC B,19,g,1 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 8B PERMIT  
NSR Permit, Special Condition 12 PERMIT

Description: Failure to maintain the operating parameter temperature of the ACR Incinerator, the ACR Thermal Oxidizer, and the ACR Vapor Combustor. EIC B,19,g,1 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 12 PERMIT

Description: Failure to maintain the Oxygen concentration for Incinerator ACR/INC60. EIC B,19,g,1 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 8C PERMIT

Description: Failure to reach "full fire" for the Vapor Combustor within five minutes of the introduction of the absorber off-gas (AOG).  
EIC B,19,g,1 MOD 2,G

Date 11/18/2008 (708605) CN601448764

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959, General Terms and Condition OP  
FOP O-01959, Special Condition 8 OP  
NSR Permit 318, Special Condition 5A PERMIT  
Description: Failure to perform Audio Visual and Olfactory inspections of the Ammonia Operating Unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959, General Terms and Condition OP  
FOP O-01959, Special Condition 8 OP  
NSR Permit 2796A, Special Condition 8A PERMIT

Description: Failure to limit NOx emissions from exceeding the emission standard of 30 ppm NOx.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959, General Terms and Condition OP  
FOP O-01959, Special Condition 8 OP  
NSR Permit 2796A, Special Condition 8 PERMIT

Description: Failure to limit CO emissions from exceeding the emission standard of 100 ppm CO.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959, General Terms and Condition OP  
FOPO-01959 Special Condition 3(B)(iv)(1) OP

Description: Failure to perform second quarter observation of Boiler Number 7.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(c)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959 General Terms and Conditions OP  
FOP O-01959, Special Condition 5E OP  
FOP O-01959, Special Condition 8 OP  
NSR Permit 2796A, Special Condition 10 PERMIT

Description: Failure to continuously record the in-stack concentration of NOx, CO, and O2 from Boiler Number 7.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959 General Terms and Conditions OP  
FOP O-01959, Special Condition 9 OP

Description: Failure to submit the PI-7 form for the PBR authorization of the wastewater pond pump engines, wastewater pond pump tanks, and diesel tanks within ten days after construction.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959 General Terms and Conditions OP

Description: Failure to report a deviation on the semi-annual deviation report for the reporting period of July 13, 2007, through January 12, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
FOP O-01959 General Terms and Conditions OP

Description: Failure to accurately certify the ACC for the certification period of January 11, 2007, through January 12, 2008.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 1A OP		
Description:	Failure to perform daily observations of Flares ACH/CBFLR and MMA/DKFL.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 1A OP NSR Permit 19003 Special Condition 1E PERMIT NSR Permit 19003 Special Condition 5 PERMIT		
Description:	Failure to maintain a sealing device on an open-ended line.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.354(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 1A OP FOP O-01437 Special Condition 9 OP NSR Permit 19003 Special Condition 1E PERMIT NSR Permit 19003 Special Condition 5 PERMIT		
Description:	Failure to perform weekly AVO inspections of the pumps and flanges in the Acetone Cyanohydrin Unit Process Fugitives Area and the Methyl Methacrylate Production Unit Area Fugitives.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP		
Description:	Failure to report a deviation.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(1) 30 TAC Chapter 122, SubChapter B 122.146(5)(C)(v) 30 TAC Chapter 122, SubChapter B 122.146(5)(D) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP		
Description:	Failure to accurately certify the ACC for the period of January 25, 2006, through January 24, 2008.		
Date	11/18/2008 (708549)	CN601448764	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3) 5C THSC Chapter 382 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 17 OP		
Description:	Failure to perform semi-weekly Audio, Visual and Olfactory (AVO) inspections of pumps in the Hydrogen Cyanide Acrylonitrile (HCN/ACRN) area. EIC B,1 MOD 2,A		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 17 OP		
Description:	Failure to record the weekly observation of the ACR Incinerator, the ACR Thermal Oxidizer,		

and the ACR Vapor Combustor. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 1A OP

Description: Failure to record daily observations of Flares ACR/FL57 and ACR/FLR58. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 10 PERMIT

Description: Failure to maintain the water flow to scrubbers ACR/ABS219 and ACR/ABS59. EIC B,19,g,1 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 8B PERMIT  
NSR Permit, Special Condition 12 PERMIT

Description: Failure to maintain the operating parameter temperature of the ACR Incinerator, the ACR Thermal Oxidizer, and the ACR Vapor Combustor. EIC B,19,g,1 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 12 PERMIT

Description: Failure to maintain the Oxygen concentration for Incinerator ACR/INC60. EIC B,19,g,1 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 8C PERMIT

Description: Failure to reach "full fire" for the Vapor Combustor within five minutes of the introduction of the absorber off-gas (AOG).  
EIC B,19,g,1 MOD 2,G

Date 04/01/2009 (736195) CN601448764

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01437 General Terms and Conditions OP  
FOP O-01437 Special Condition 1A OP

Description: Failure to perform daily observations of Flare ACH/CBFLR. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT H 60.82  
5C THSC Chapter 382 382.085(b)  
FOP O-01437 General Terms and Conditions OP  
FOP O-01437 Special Condition 12 OP  
FOP O-01437 Special Condition 1A OP  
NSR Permit 19005 Special Condition 2 PERMIT

Description: Failure to limit the SO2 emission rate from exceeding 4 pounds (lbs) of SO2 per ton of 100 % H2SO4. EIC B,13 MOD 2,D

Self Report? NO Classification: Moderate

Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.354(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 1A OP NSR Permit 19003, Special Condition 1E PERMIT NSR Permit 19004 Special Condition 5E PERMIT		
Description:	Failure to perform weekly AVO inspections of the Acetone Cyanohydrin (ACH) Unit Process Fugitives Area and the Methyl Methacrylate (MMA) Production Unit Area Fugitives. EIC B,1 MOD 2,A		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 1A OP NSR Permit 19005 Special Condition 13B PERMIT NSR Permit 19005 Special Condition 2 PERMIT		
Description:	Failure to correctly perform the Third Quarter 2008 CGA of the SAR/SARSTK. EIC B,18 MOD 2,E		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP FOP O-01437 Special Condition 8E OP NSR Permit 19005 Special Condition 2 PERMIT		
Description:	Failure to continuously measure and record the in-stack concentration of Nitrogen Oxide (NOx) and Sulfur Dioxide (SO2) from the SAR-SARSTK. EIC B,1 MOD 2,A		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(c) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 1A OP		
Description:	Failure to record the gas exhaust temperature of the SARS Furnaces. EIC B,3 MOD 2,A		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01437 General Terms and Conditions OP FOP O-01437 Special Condition 12 OP NSR Permit 19003 Special Condition 3 PERMIT		
Description:	Failure to maintain emission rates below the allowable emission limits for EPN MMA-PFL. EIC B,13 MOD 2,D		
Date	06/24/2009 (744448)	CN601448764	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01959 General Terms and Conditions OP FOP O-01959, Special Condition 8 OP NSR Permit 318, Special Condition 1 PERMIT		
Description:	Failure to maintain emission rates below the allowable emission limits. EIC B,13 MOD 2,D		
Date	04/14/2010 (794258)	CN601448764	



Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(1) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP FOP O-01960, Special Condition 1A OP FOP O-01960, Special Condition 1D OP Permit 1743, Special Condition 3 PERMIT		
Description:	Failure to submit a semiannual periodic report within 60 days after the end of the six month reporting period. MIN 3C EIC C3		
Date	06/24/2010 (790962)	CN601448764	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01959, Special Condition 8 OP NSR Permit 2796A, Special Condition 8A PERMIT		
Description:	Failure to meet the 30 ppm NOx emissions standard and 100 ppm CO emissions standard when at a firing rate of 76.25 MMBtu/hr or higher from Boiler No. 7. EIC B13 MOD(2)(D)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01959, Special Condition 8 OP NSR Permit 2796A, Special Condition 10C PERMIT		
Description:	Failure to conduct quarterly cylinder gas audit (CGA) for the Boiler No. 7 NOx CEMS. EIC B1 MOD(2)(A)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01959, Special Condition 8 OP NSR Permit 318, Special Condition 2B PERMIT		
Description:	Failure to continuously monitor the Ammonia Flare pilot flame. EIC B1 MOD(2)(A)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01959, Special Condition 8 OP NSR Permit 2796A, Special Condition 2 PERMIT		
Description:	Failure to maintain an emission rate below the allowable emission limit. EIC B13 MOD(2)(G)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01959, Special Condition 3(B)(iv)(1) OP		
Description:	Failure to perform the second quarter observation of stationary vents for EPNs AMM/PMP185, AMM/PMP186, P and S-BLR7, SIT/ENG175, SIT/ENG178, and SIT/ENG177. EIC B1 MOD(2)(A)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 10 PERMIT		

Description:	Failure to maintain the water flow to scrubbers ACR/ABS219 and ACR/ABS59. EIC B19(g)(1) MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 11B PERMIT NSR Permit 1743, Special Condition 12 PERMIT NSR Permit 1743, Special Condition 8A PERMIT NSR Permit 1743, Special Condition 8B PERMIT	
Description:	Failure to maintain the minimum operating temperature of the ACR Incinerator, the ACR Thermal Oxidizer, and the ACR Vapor Combustor. EIC B19(g)(1) MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 8C PERMIT	
Description:	Failure to reach "full fire" for the Vapor Combustor within five minutes after the introduction of AOG. EIC B19(g)(1) MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 12 PERMIT	
Description:	Failure to maintain the O2 concentration for Incinerator ACR/INC60. EIC B19(g)(1) MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP	
Description:	Failure to comply with the representations of the permit application for NSR Permit 1743. B19(g)(1) MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1)  30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 16 OP	
Description:	Failure to comply with the representations of the permit application for NSR Permit 1743. B19(g)(1) MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 1 PERMIT	
Description:	Failure to maintain an emission rate below the allowable emission limit. EIC B13 MOD(2)(G)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(3) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 1D OP	
Description:	Failure to monitor 122 valves and connectors. EIC B1 MOD(2)(A)	
Self Report?	NO	Classification: Moderate

Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(i) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(w) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01959, Special Condition 1A OP FOP O-01959, Special Condition 8 OP NSR Permit 2796A, Special Condition 1 PERMIT	
Description:	Failure to submit NOx standard reports for Boiler No. 7. EIC B3 MOD(2)(B)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01960, General Terms and Condition OP	
Description:	Failure to report all instances of deviations on semi-annual deviation reports (SDRs). EIC B3 MOD(2)(B)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(1) 30 TAC Chapter 122, SubChapter B 122.146(5)(D) 5C THSC Chapter 382 382.085(b) FOP O-01959, General Terms and Condition OP FOP O-01960, General Terms and Condition OP	
Description:	Failure to accurately certify Annual Compliance Certifications (ACCs). EIC B3 MOD(2)(B)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP FOP O-01960, Special Condition 1A OP	
Description:	Failure to perform weekly audio, visual, and olfactory (AVO) inspections of the HCN/ACRN Unit's light liquid pumps. EIC B1 MOD(2)(A)	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP FOP O-01960, Special Condition 19 OP NSR Permit 1743, Special Condition 10 PERMIT	
Description:	Failure to continuously monitor and record the circulating water flow rate of Scrubber ACR/ABS61. EIC C3 MIN(3)(C)	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THSC Chapter 382 382.085(b) FOP O-01960, General Terms and Condition OP	
Description:	Failure to submit the ACC within 30 days after the end of the certification period.	
	EIC B3 MOD(2)(B)	
Date	06/28/2010 (796483)	CN601448764
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 63, Subpart G 63.120(d)(5) 5C THSC Chapter 382 382.085(b) FOP O-01960 General Terms and Conditions OP FOP O-01960, Special Condition 19 OP FOP O-01960, Special Condition 1A OP FOP O-01960, Special Condition 1D OP FOP O-01960, Special Condition 4 OP NSR Permit 1743, Special Condition 10 PERMIT NSR Permit 1743, Special Condition 2 PERMIT	

Description: Failure to maintain the water flow to scrubbers ACR/ABS156, ACR/ABS159, ACR/ABS61, and ACR/ABS218. EIC A,8,c,1,B MOD 2,G

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01960 General Terms and Conditions OP  
FOP O-01960, Special Condition 16 OP  
FOP O-01960, Special Condition 19 OP  
NSR Permit 1743, Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. EIC A,8,c,2,A,ii  
MOD 2,D

F. Environmental audits.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
LUCITE INTERNATIONAL, INC.  
RN102736089**

**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2011-0967-IHW-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Lucite International, Inc. ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### **I. FINDINGS OF FACT**

1. The Respondent owns and operates an industrial organic chemical manufacturing plant at 6350 North Twin City Highway in Nederland, Jefferson County, Texas (the "Facility").

2. The Facility involves or involved the management of industrial hazardous waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
3. During an investigation on April 9, 2011, TCEQ staff documented that approximately five gallons of acetone cyanohydrin were discharged into the Neches River resulting in a fish kill of approximately seven fish.
4. The Respondent received notice of the violations on May 31, 2011.
5. The Executive Director recognizes that the Respondent ceased the discharge by immediately discontinuing transfer operations on April 9, 2011 and submitted an incident report form on May 6, 2011 which detailed the measures implemented to prevent future occurrences.

## **II. CONCLUSIONS OF LAW**

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent an unauthorized discharge into or adjacent to the water in the state, in violation of 30 TEX. ADMIN. CODE § 335.4 and TEX. WATER CODE § 26.121(a)(1).
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Ten Thousand Dollar (\$10,000) administrative penalty.

## **III. ORDERING PROVISIONS**

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Ten Thousand Dollars (\$10,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty

payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Lucite International, Inc., Docket No. 2011-0967-IHW-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
4. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

  
For the Executive Director

9/27/11  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Lucite International, Inc. I am authorized to agree to the attached Agreed Order on behalf of Lucite International, Inc., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Lucite International, Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

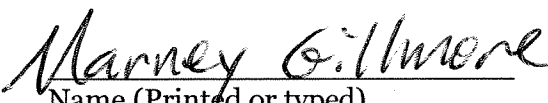
I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

August 10  
Date

  
Name (Printed or typed)  
Authorized Representative of  
Lucite International, Inc.

Site Manager  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.